

Inventor(s): Paul Andrew Abraham
Serial No.: 10/085,722
Filed: February 28, 2002
For: HAIR CLIPPER WITH PIVOTING CLIPPER HEAD ASSEMBLY
Art Unit: 3724
Examiner: Peterson, Kenneth E.

Attorney Docket No.: 833.0168USQ

REMARKS

Claims 1 to 8, 10, and 14 to 32 are pending in the present application. Claims 1 and 14 are currently amended; claims 2 through 7 and 15 through 18 were previously presented; claims 8, 10, and 19 to 32 are withdrawn; and claims 9 and 11 to 13 are canceled.

The Office Action **(1)** rejected claims 1 to 4 and 7 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,797,109 to Yamada et al. (hereinafter, Yamada); **(2)** rejected claims 1 to 7 under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of U.S. Patent No. 5,093,991 to Hendrickson (hereinafter, Hendrickson); **(3)** rejected claims 1 to 4, 7, and 14 to 16 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. Re. 22,638 to Kleinman (hereinafter, Kleinman) in view of Yamada and/or U.S. Patent No. 2,119,792 to Parkin (hereinafter, Parkin); **(4)** rejected claims 1 to 7 and 14 to 18 under 35 U.S.C. 103(a) as being unpatentable over Kleinman in view of Hendrickson, or alternatively Kleinman patent in view of Yamada and/or Parkin and further in view of Hendrickson.

Regarding item **(1)** identified above, it is respectfully submitted that claim 1 is patentable over Yamada at least because Yamada fails to disclose (or suggest) the clipper head is selectively positioned in any one of a plurality of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly,

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as claim 1 states in relevant part. Yamada, configured as shown therein, requires the rockable coupling between the head and the shaver body be disengaged to rock the head to a different position. In fact, the Yamada head or body can be held by the user since buttons on the side of the shaver must be disengaged to move the head. (See Yamada, col. 4, ln. 5-12) That is, Yamada fails to disclose (or suggest) the clipper head is selectively positioned in any one of a plurality of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly, as claimed by Applicant.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to Yamada, and allowance thereof, are respectfully requested.

With regard to claims 2 to 4 and 7, which depend either directly or indirectly from claim 1, it is respectfully submitted that each of these claims are likewise patentable over Yamada at least for the reasons discussed above with respect to claim 1.

Accordingly, reconsideration and withdrawal of the rejection of claims 2 to 4 and 7, and allowance thereof, are respectfully requested.

Regarding item **(2)** identified above, it is respectfully submitted that claim 1 is patentable over each of the cited

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patents and/or any proper combination of the same.

First, as previously noted, the Yamada patent fails to disclose or suggest the clipper head is selectively positioned in any one of a plurality of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly.

Accordingly, reconsideration and withdrawal of the rejection of claim 1 as it relates to the combination of Yamada and Hendrickson, and allowance thereof, are respectfully requested.

With regard to claims 2 through 7, it is respectfully submitted that each of these claims, which depend either directly or indirectly from claim 1, are patentable at least for the same reasons as noted with respect to claim 1.

Thus, reconsideration and withdrawal of the stated rejections pertaining to claims 2 through 7 as they relate to the cited combination of Yamada and Hendrickson, and allowance thereof, are respectfully requested.

Regarding item **(3)** identified above, it is respectfully submitted that present claim 1 is patentable over each of the cited patents and/or any proper combination of the same. Notwithstanding that which is disclosed by each of the cited references (i.e., Kleinman, Yamada and/or Parkin), each of the cited references fail to disclose or suggest the clipper head is

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selectively positioned in any one of a plurality of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly.

Thus, reconsideration and withdrawal of the rejection of claim 1 as it relates to the combination of Yamada and Hendrickson, and allowance thereof, are respectfully requested.

With regard to claims 2 through 4 and 7, it is respectfully submitted that each of these claims, which depend either directly or indirectly from claim 1, are patentable for the same reasons noted with respect to claim 1.

Thus, reconsideration and withdrawal of the stated rejections pertaining to claims 2 through 4 and 7 as they relate to the cited combination of Kleinman with Yamada and/or Parkin, and allowance thereof, are respectfully requested.

With regard to claim 14, it is respectfully submitted that present claim 14 is patentable over each of the cited patents and/or any proper combination of the same. Further, it is respectfully submitted that none of the cited references, alone and in the combinations alleged by the Office Action, disclose or suggest that the clipper head has a handle having a pair of support arms, each support arm being pivotally connected to a respective one of said pivot points, and a motor and drive system for reciprocating the reciprocating blade such that hair positioned within the teeth of the stationary blade are cut by

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cutting edge, and wherein the cutting edge is located on said head at a distal position from the pivot axis.

Thus, reconsideration and withdrawal of the rejection of claim 14 as it relates to the cited combination (i.e., Kleinman, Yamada and/or Parkin), and allowance thereof, are respectfully requested.

With regard to claims 15 and 16, which depend either directly or indirectly from claim 14, it is respectfully submitted, that each of these claims are patentable at least for the reasons noted above with respect to claim 14. Accordingly, reconsideration and withdrawal of the rejections pertaining to claims 15 and 16 as they relate to the cited combination of Kleinman with Yamada and/or Parkin, and allowance thereof, are respectfully requested.

Regarding item **(4)** identified above, it is respectfully submitted that present claim 1 is patentable over each of the cited patents and/or any proper combination of the same. It is further respectfully submitted that each of the cited reference combinations (i.e., Kleinman with Hendrickson, or alternatively, Kleinman with Yamada and/or Parkin in view of Hendrickson), fails to disclose or suggest the clipper head is selectively positioned in any one of a plurality of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly.

Thus, reconsideration and withdrawal of the rejection of

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claim 1 as it relates to the aforementioned combination of references, and allowance thereof, are respectfully requested.

With regard to claims 2 through 7, it is respectfully submitted that each of these claims, which depend either directly or indirectly from claim 1, are patentable for the same reasons noted with respect to claim 1. Thus, reconsideration and withdrawal of the stated rejections pertaining to claims 2 through 7 as they relate to any proper combination of the cited references, and allowance thereof, are respectfully requested.

With regard to claim 14, it is respectfully submitted that present claim 14 is patentable over each of the cited patents and/or any proper combination of the same. Further, it is further respectfully submitted that each of the cited reference combinations (i.e., Kleinman with Hendrickson, or alternatively, Kleinman with Yamada and/or Parkin in view of Hendrickson), fails to disclose or suggest that the clipper head has a handle having a pair of support arms, each support arm being pivotally connected to a respective one of said pivot points, and a motor and drive system for reciprocating the reciprocating blade such that hair positioned within the teeth of the stationary blade are cut by cutting edge, and wherein the cutting edge is located on said head at a distal position from the pivot axis.

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Thus, reconsideration and withdrawal of the rejection of claim 14 as it relates to the above noted reference combinations, and allowance thereof, are respectfully requested.

With regard to claims 15 and 16, which depend either directly or indirectly from claim 14, it is respectfully submitted, that each of these claims are patentable at least for the reasons noted above with respect to claim 14. Accordingly, reconsideration and withdrawal of the rejections pertaining to claims 15 and 16 as they relate to the above-identified reference combinations, and allowance thereof, are respectfully requested.

In sum, it is respectfully submitted that the present pending claims 1 to 7 and 14 to 18 are clearly patentable over each cited reference and the cited combinations of the same. Thus, this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections of the claims are respectfully requested.

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